

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Dennis O'Brien and Carl Yee
Application No.:	10/725178
Filed:	December 1, 2003
For:	Cutting Balloon Having Sheathed Incising Elements
Group Art Unit:	3734

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2B-13172-US01

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$510.00.

- Applicant claims small entity status. See 37 CFR 1.27.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.
- A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.
- CONDITIONAL PETITION FOR EXTENSION OF TIME**

In the event a petition for extension of time is required and has not otherwise been requested or in the event the period specified is incorrect please consider this a petition for the appropriate extension therefore.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the attorney or agent of record.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: February 4, 2008

By: _____ / **Jennifer L. Buss** / _____

Jennifer L. Buss

Registration No.: 57321

6640 Shady Oak Dr., Suite 400
Eden Prairie, MN 55344-7834
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

f:\wpwork\jlb\13172us01_app_20080204.doc